

Wetlands Bureau Decision Report

Decisions Taken
09/15/2008 to 09/21/2008

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Lawrence E. Morse, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2006-02001 WHITEMORE SHORES CONDO. ASSOC BRIDGEWATER Newfound Lake

Requested Action:

Applicant requests to amend permit to add rocks to an existing jetty in Newfound Lake.

Conservation Commission/Staff Comments:

No comments from Con Com by October 24, 2006

DENY AMENDMENT:

Add rocks to an existing jetty in Newfound Lake.

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:3, Excavating and Dredging Permits, "[n]o person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp, or in an adjacent to any waters of the state without a permit from the department."
2. This project is classified as a major impact per Rule Env-Wt 303.02(j), "construction of a breakwater in public waters."
3. In accordance with Env-Wt 402.07, "breakwaters shall only be approved when an applicant establishes that the following requirements are met, (1)the breakwater is proposed to be located in Lake Winnepesaukee."
4. The proposed work requires plans which meet all of the requirements of Env-Wt 402.07.

Findings of Fact

5. On May 21, 2007, the Wetlands Bureau issued a permit to "Construct a 116 ft of retaining wall to perch an existing beach, replenish with 45 cubic yards of sand, improve 200 ft of drainage swale on the landward edge of the beach to reduce runoff over the beach, and replace rocks which have fallen from a small groin, on Newfound Lake, Bristol."
6. On August 18, 2008 the Wetlands Bureau received an amendment request to add 6 to 10 rocks to an existing breakwater in Newfound Lake.
7. The proposed amendment request did not include plans as required pursuant to Env-Wt 402.07 for the proposed work.

Rulings in Support of Denial

8. The amendment request did not include any plans for the proposed work and the addition of rocks to a breakwater located in Newfound Lake does not meet Env-Wt 402.07(b)(1), therefore pursuant to Env-Wt 402.07, the amendment is denied.

2006-03219 MANCHESTER-BOSTON REGIONAL AIRPORT MANCHESTER Unnamed Wetland

Requested Action:

Request to amend the permit and provide a payment to the Aquatic Resource Mitigation Fund as a component of the mitigation proposal.

APPROVE AMENDMENT:

Amend permit to read: Dredge and fill approximately 5.2 acres of emergent, scrub-shrub, and forested wetlands for the construction of a 600 foot runway safety area at the eastern end of Runway 6-24 at Manchester Boston Regional Airport. The work includes the

relocating a segment of South Willow Street to the east, around the end of the proposed runway safety area, and reworking the intersections with Perimeter Road and Harvey Road. Proposed mitigation includes an area of restoration/enhancement, approximately 20 acres of upland preservation adjacent to the Cohas Brook red maple swamp area listed as an New Hampshire Natural Heritage Bureau exemplary natural community, and an Aquatic Resource Mitigation fund payment.

With Conditions:

With amended conditions:

1. All work shall be in accordance with application materials submitted to the file and plans prepared by Edwards and Kelcey, April, 2007 received by the Department on April 12, 2007, plans prepared by Fay, Spoffard & Thorndike received August 27, 2007, and as conditioned below.
2. This permit is contingent on approval by the NHDES Alteration of Terrain Program.
3. This permit is contingent on issuance of a Water Quality Certificate by DES.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Manchester Boston Regional Airport will comply with the provisions of the Section 401 Water Quality certification upon its issuance and noncompliance shall be considered a violation of the conditions of this permit.
6. As part of this project, acquisition of properties has been necessary. DES shall be informed of the completion of the acquisitions and no work on those properties shall occur until these are finalized.
7. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction unless otherwise approved for use in the wetland restoration areas.
8. Construction equipment shall not be located within surface waters.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. Extreme precautions to be taken within riparian areas and areas in proximity to the Cohas Brook to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated as quickly as possible.
16. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
17. Extraordinary precautions shall be taken to prevent import or transport of seed stock from nuisance and invasive species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*).
18. A copy of the deed(s) shall be submitted to the DES Wetlands Bureau following the applicant's purchase of the properties necessary to be acquired for the project.
19. The final mitigation plans shall be submitted to the Wetlands Bureau for review and approval.
20. The schedule for mitigation construction shall be submitted to the Wetlands Bureau for review and approval.
21. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland construction site. In other areas the permittee considers spreading the spoils, the potential for the establishment of the invasive species should be considered to limit its further establishment.
22. Wetland restoration, enhancement and construction areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
23. Wetland restoration, enhancement and construction areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth,

changing the elevation of the wetland surface, and changing the hydraulic regime.

24. The permittee shall monitor the initial construction of the mitigation area to assure the work is accomplished in accordance with the plan, and that the necessary soil, water and vegetation is present upon completion of work. Site monitoring shall include a plan for removing invasive species and shall be reviewed by the Wetlands Bureau prior to implementation.

25. The permittee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the initial completion of each mitigation site. After at least five full growing seasons, the permittee shall delineate the wetlands within the mitigation site and document the delineation with data forms and depict the delineation as an overlay of the final as built plans.

26. At least 48 hours prior to the start of each construction contract, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this NHDES wetlands permit, the NHDES Alteration of Terrain permit, the NHDES Water Quality Certificate, and any environmental commitments stated in the approved documents. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, the contract administrator(s), wetlands scientist(s), wildlife professional, and the contractor(s) responsible for performing the work.

Wetland construction:

27. This permit is contingent upon the restoration/enhancement/creation of wetlands in accordance with plans prepared by The Smart Associates, Environmental Consultants, Inc. received March 20, 2007, and revised plans received August 27, 2007 that includes details on existing and proposed site conditions, grading and planting specification, soil erosion and sediment controls details, details on level spreaders, and cross sections.

28. The schedule for mitigation construction shall coincide with site development unless otherwise considered and authorized by the Wetlands Bureau to occur subsequent to site construction. The mitigation construction shall be completed no later than one year following the start of construction.

29. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plans. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.

30. The mitigation areas shall be properly constructed, monitored, managed in accordance with approved final mitigation plans, and the entire mitigation area shall be preserved from future development.

31. The applicant shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.

Wetland preservation:

32. This permit is contingent upon the execution of legal agreements for the purposes of protection and preservation similar to conservation easement(s) and herein after called "preservation areas", on approximately 20 acres as depicted on plans received March 20, 2007 and August 27, 2007.

33. The legal agreements that may be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this legal agreement(s).

34. Draft protection and preservation language shall be submitted to the Wetlands Bureau for review and approval prior to final recordation.

35. The plan noting the preservation areas with a copy of the final protective and preservation language shall be recorded with the Registry of Deeds Office for each appropriate lot and a copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau.

36. The preservation areas:

- a. Shall be marked by stakes and signs indicating the location and restrictions of the area;
- b. The boundaries of the protected properties shall be surveyed by a licensed surveyor, and marked by permanent markers/signs for purposes of monitoring; and
- c. The legal agreements for the preservation area shall be completed within one year of permit issuance.

37. The DES shall be notified in writing of any transfers of the preservation lands and mitigation sites to another organization that has been retained for management purposes and the name of the entity responsible to continue long-term management and/or stewardship of the lands.

38. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
39. Activities in contravention of the legal agreements for the preservation areas shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).
40. Failure to execute the mitigation components in a timely or successful manner will be subject to permit revocation and restoration of permitted impact areas.
41. This approval is contingent on receipt by DES of a one time payment of \$200,000.00 to the DES Aquatic Resource Mitigation (ARM) Fund. The payment shall be received by DES by December 31, 2008.

With Findings:

1. The restoration/enhancement/creation work on the easterly border of the relocated South Willow Street has not resulted in the anticipated design elevation and will persist in an upland condition.
2. Regrading the wetland by lowering the grade would not only disturb and remove the new plantings and well-established new terrain, but would potentially damage the newly constructed South Willow Street.
3. The contribution of funds equal to the estimated cost of reconstructing the wetland to lower the grade is the preferred option by DES and federal permitting agencies.
4. The applicant has reviewed on-site options for mitigation and the department has determined that this project is acceptable for payment to the Aquatic Resource Mitigation (ARM) Fund.
5. The payment into the ARM fund shall be deposited in the DES fund for the Merrimack River watershed per RSA 482-A:29.

2008-00148 BYRNE DEVELOPMENT CORP
ALTON Unnamed Wetland

Requested Action:

Deny permit request to dredge and fill 1300 square feet including 254 linear feet of stream channel for access in the subdivision of 25.83 acres into 13 single family residential lots.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Deny permit request to dredge and fill 1300 square feet including 254 linear feet of stream channel for access in the subdivision of 25.83 acres into 13 single family residential lots.

With Findings:

1. A request for additional information dated April 14, 2008, addressed to the applicant and copied to the agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A:3, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

2008-00970 NASHUA DPW, CITY OF
NASHUA Unnamed Stream Nashua & Merrimack Rivers

Requested Action:

Impact a total of 13,300 sq. ft. in previously disturbed upland areas within 100 feet of the Nashua River and Merrimack River for work associated with improvements to the municipal waste water treatment system involving renovations to combined sewer overflow (CSO) structures to eliminate discharges to these rivers during small storm events.

Conservation Commission/Staff Comments:

"The LAC [Lower Merrimack River Local Advisory Committee] supports the approval of this permit application..."

Inspection Date: 08/06/2008 by Frank D Richardson

APPROVE PERMIT:

Impact a total of 13,300 sq. ft. in previously disturbed upland areas within 100 feet of the Nashua River and Merrimack River for work associated with improvements to the municipal waste water treatment system involving renovations to combined sewer overflow (CSO) structures to eliminate discharges to these rivers during small storm events.

With Conditions:

1. All work shall be in accordance with plans by Hazen and Sawyer Environmental Engineers and Scientists dated April 25, 2008, as received by DES on June 03, 2008.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and the Nashua Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
7. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The detailed engineering plans accurately locate the boundary of the wetlands and prime wetlands.
6. The erosion controls, water velocity controls, grass treatment swales, stabilization methods, culvert sizing and invert elevations will protect the ability of the wetlands to retain floodwaters and silt.
7. The approved plans and conditions of the permit provide for a minimum of 30 foot buffer adjacent to the Prime Wetland areas for temporary impacts.
8. The project as approved and constructed in adherence to the provided construction sequence, erosion controls, water treatment system and maintenance program offsets impact from any increased runoff created by the site work.
9. Based on the inspection conducted on August 06, 2008 by Wetlands Bureau staff, the project involves minimum environmental impacts.
10. Based on the findings above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.
11. This public works project is compliant with the Comprehensive Shoreland Protection Act and requires no further permitting or compensatory mitigation from the DES Wetlands Bureau.
12. A Prime Wetlands public hearing was held on this application on August 06, 2008.

MINOR IMPACT PROJECT

2006-00272 GIOVINELLI, STEVEN & LISA
DEERFIELD Unnamed Wetland Hartford Brook

Requested Action:

Amend permit to reflect design changes from wing wall construction at the 24" culvert crossing to geotextile/rip rap slope inlet/outlet stabilization.

Conservation Commission/Staff Comments:

Conservation Commission did not report.

APPROVE AMENDMENT:

Dredge and fill a total of 5,851 square feet of wetlands to construct two driveway crossings to access a single family house lot, including: 3,015 square feet of impact to install a 24" x 39' culvert in a wet meadow; and 2,836 square feet of impact to install a 36" x 60" x 29' open bottom box culvert to cross a perennial stream.

With Conditions:

1. All work shall be in accordance with revised plans by RSL Layout and Design, Inc. dated 3/14/2006, as received by DES on 3/15/2006, and per detail of headwall slope stabilization dated 8/25/2008, received by DES on 8/25/2008.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. This permit is contingent upon receipt and DES approval of stream diversion/ dewatering plan for work at crossing locations which involve perennial streams.
5. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Silt fencing must be removed once the area is stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
11. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
12. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
13. Temporary cofferdams shall be entirely removed immediately following construction.
14. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
15. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
17. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized

within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

18. Proper headwalls shall be constructed within seven days of culvert installation.

19. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).

20. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

21. Work shall be done during low flow.

With Findings:

1. The design change represents minimal impact. The previous headwall construction design exceeded what is necessary for slope stabilization adjacent to the culvert, which can be equally stabilized with rip rap.

2007-02938 NH DEPT OF TRANSPORTATION
LYME Grant Brook

Requested Action:

Extend a 3 ft. x 7 ft. x 30 ft. box culvert 4 ft. at the inlet and 5 ft. at the outlet and construct new headwalls impacting 436 sq. ft of stream and banks (345 sq. ft temporary).

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

APPROVE PERMIT:

Extend a 3 ft. x 7 ft. x 30 ft. box culvert 4 ft. at the inlet and 5 ft. at the outlet and construct new headwalls impacting 436 sq. ft of stream and banks (345 sq. ft temporary). NHDOT project #M201-10.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Maintenance District 2 dated 12/4/07 as received by the Department on Dec. 17, 2007.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), alteration of less than 200 linear feet of stream and banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The review by the Natural Heritage Bureau found no recorded occurrences for sensitive species near the project area.
6. The USGS map received on September 15, 2008 shows that the location provided to the Natural Heritage Bureau is the correct location of the project.

2007-02939 NH DEPT OF TRANSPORTATION
LYME Unnamed Stream

Requested Action:

Extend a 2.5 ft. x 3 ft. x 30 ft. box culvert 3 ft. at each end and construct new headwalls impacting 158 sq. ft. of stream and banks (140 sq. ft. temporary).

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

APPROVE PERMIT:

Extend a 2.5 ft. x 3 ft. x 30 ft. box culvert 3 ft. at each end and construct new headwalls impacting 158 sq. ft. of stream and banks (140 sq. ft. temporary). NHDOT project #M201-11.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Maintenance District 2 dated 12/5/07 as received by the Department on Dec.17, 2007.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), alteration of less than 200 linear feet of stream and banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The review by the Natural Heritage Bureau found no recorded occurrences for sensitive species near the project area.
6. The USGS map received on September 15, 2008 shows that the location provided to the Natural Heritage Bureau is the correct location of the project.

2008-00231 WOLFEBORO BUSINESS PARK LLC
WOLFEBORO Unnamed Wetland

Requested Action:

Dredge and fill a total of 845 square feet of isolated wetland for lot development in an existing industrial park.

APPROVE PERMIT:

Dredge and fill a total of 845 square feet of isolated wetland for lot development in an existing industrial park.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Surveying dated February 8, 2008, as received by the Department on February 12, 2008.
3. This permit is contingent on approval by the DES Alteration of Terrain Program.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. Work shall be conducted during low water conditions, and when wetlands are dry.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
13. Silt fencing must be removed once the area is stabilized.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h); Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2008-00709 FILIPI, STEVE
FITZWILLIAM Unnamed Stream

Requested Action:

Dredge and fill 2,350 square feet (65 linear feet) of intermittent stream and associated palustrine forested wetlands to install twin 12-inch x 40-foot RCP culverts for road access to a 9-lot subdivision on 57.78 acres.

APPROVE PERMIT:

Dredge and fill 2,350 square feet (65 linear feet) of intermittent stream and associated palustrine forested wetlands to install twin 12-inch x 40-foot RCP culverts for road access to a 9-lot subdivision on 57.78 acres.

With Conditions:

1. All work shall be in accordance with plans by GRAZ Engineering, LLC dated April 18, 2008, and revised through August 25, 2008, as received by the Department on August 28, 2008 and subdivision plans by Richard P. Drew dated March 06, 2006, and revised through December 11, 2007 as received by the Department on May 05, 2008.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # 4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. Work shall be done during low flow conditions.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Culverts shall be laid at original grade.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), alteration of less than 200 linear feet of an intermittent stream.
2. No comments were submitted from federal agencies, the NHFG Nongame and Endangered Wildlife Program, the Natural Heritage Bureau, or the Conservation Commission.
3. The applicant revised the proposed drop-inlet culvert to a conventional culvert.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2008-00790 AHEAD INC
LITTLETON Unnamed Wetland

Requested Action:

Fill 1,417 square feet (impacting 81 linear feet) within intermittent streams to construct a 34-unit multi-family development on 14.6 acres of land, of which 6.5 acres of land will be left as open space through deed restrictions or a conservation easement.

Conservation Commission/Staff Comments:

*On May 20, 2008, DES received a letter from the Littleton Conservation Commission (LCC) stating that the proposed development has taken almost a full year of hearings to get zoning board approval and that after attending the hearings and inspecting the property, they offer the following recommendations: hold the project accountable to follow all BMP's; limit tree clearing; maintain buffers near wetlands and streams; maintain natural water flow; engineer retention pond that handles seasonal fluctuations; protect historic deer crossings; develop stormwater drainage and utility plan; protect brooks from polluted stormwater; and protect trout in downstream waters of Palmer Brook and Ammonoosuc River. Also, the zoning board required the protection of 6.5 acres of land through an easement which the LCC voted unanimously to hold.

*On August 5, 2008, DES received an email and attached letter from Dianne Timmons of NH Fish & Game stating that most of the wetland impacts appear to come from Phase II where buildings are located within wetlands and that this area flows downstream into Palmer Brook and the Ammonoosuc River which are critical coldwater fishery habitats. Furthermore, the letter states that if 2 of the buildings were either removed or relocated out of the wetland, the project would have less of an impact on the surrounding fish, wildlife and the public.

APPROVE PERMIT:

Fill 1,417 square feet (impacting 81 linear feet) within intermittent streams to construct a 34-unit multi-family development on 14.6 acres of land, of which 6.5 acres of land will be left as open space through deed restrictions or a conservation easement.

With Conditions:

1. All work shall be in accordance with revised plans by Horizons Engineering dated August 1, 2008, as received by DES on August 25, 2008.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. This permit is contingent on approval by the DES Terrain Alteration Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Work shall be done during low flow conditions.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
9. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a Minor Project per NH Administrative Rule Env-Wt 303.03(l), as intermittent stream impacts are less than 200 linear feet.
2. On May 20, 2008, DES received a letter from the Littleton Conservation Commission (LCC) stating that the proposed development has taken almost a full year of hearings to get zoning board approval and that after attending the hearings and inspecting the property, they offer the following recommendations: hold the project accountable to follow all BMP's; limit tree clearing; maintain buffers near wetlands and streams; maintain natural water flow; engineer retention pond that handles seasonal fluctuations; protect historic deer crossings; develop stormwater drainage and utility plan; protect brooks from polluted stormwater; and protect trout in downstream waters of Palmer Brook and Ammonoosuc River. Also, the zoning board required the protection of

6.5 acres of land though an easement which the LCC voted unanimously to hold.

3. DES received 4 letters of concern from citizens of Littleton (3 by landowners near the project area) which summarize similar concerns raised by the LCC as well as general wildlife concerns based on local observations of wildlife use of the property.

4. On July 24, 2008, DES sent a letter to the applicant to request additional information based on concerns that were raised by the LCC and 4 local citizens. In summary, the letter specifically requested: that all streams be identified; that the 6.5 acres of conservation land be demarcated; that an overall master plan for the property be provided; and that all specific concerns raised by the LCC be addressed in their response.

5. On August 5, 2008, DES received an email and attached letter from Dianne Timmons of NH Fish & Game stating that most of the wetland impacts appear to come from Phase II where buildings are located within wetlands and that this area flows downstream into Palmer Brook and the Ammonoosuc River which are critical coldwater fishery habitats. Furthermore, the letter states that if 2 of the buildings were either removed or relocated out of the wetland, the project would have less of an impact on the surrounding fish, wildlife and the public.

6. On August 25, 2008, DES received revised plans from the applicant's engineer and a written response to concerns raised by the DES letter requesting additional information.

7. DES reviewed the response and revisions on September 15, 2008 and found that no buildings are located within wetland areas and that only 2 intermittent stream crossings are proposed for both phases of the overall development. In addition, DES noted the following: all streams were clearly identified on the revised plans; 6.5 acres of conservation land was provided to protect wildlife habitat and meet local zoning; a master plan was provided showing 2 phases; a detailed construction sequence was provided to meet all construction BMP's; tree clearing was minimized near wetlands and streams, and adequate vegetated buffers (over 100 feet) were provided near the treatment swales and detention basin; a detailed Stormwater Pollution Prevention Plan (SWPPP) was provided to meet EPA standards; and that all polluted stormwater is being adequately treated by the proposed treatment swales and detention basin that meet the DES Terrain Alteration Bureau's water quality standards.

8. The need for the proposed impacts has been demonstrated by the applicant per NH Administrative Rule Env-Wt 302.01.

9. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.

10. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

11. Public hearing is not required with the finding that the project is not classified as a Major Impact Project.

2008-01254 JONES, VAUGHN & SHARON
MADBURY Unnamed Wetland

Requested Action:

Dredge and fill 7,270 sq. ft. of wetlands and install a 15" x 30 culvert for construction of a common driveway to two lots of a 4-lot subdivision on 13.79 acres in Madbury.

APPROVE PERMIT:

Dredge and fill 7,270 sq. ft. of wetlands and install a 15" x 30 culvert for construction of a common driveway to two lots of a 4-lot subdivision on 13.79 acres in Madbury.

With Conditions:

1. All work shall be in accordance with revised plans by Beals Associates LLC dated 7/24/2008, as received by the Department on 9/16/2008.

2. This permit is contingent on approval by the DES Alteration of Terrain Program.

3. This permit is contingent on approval by the DES Subsurface Systems Bureau.

4. This permit shall not be effective until it has been recorded with the Strafford County Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.

5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.

6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.

7. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control

Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. Silt fencing must be removed once the area is stabilized.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. Proper headwalls shall be constructed within seven days of culvert installation.
15. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
16. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
15. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects that involve less than 20,000 sq. ft. of alteration in the aggregate of non-tidal wetlands which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant must cross wetlands at some point to reach the buildable area of the two lots in a manner allowed by town regulations.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The crossing proposed utilizes a shared access for two lots, and crosses at the shortest, least impacting location.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported by the NH Natural Heritage Bureau for the project location or vicinity.
5. The Madbury Conservation Commission comments relative to the least impacting crossing location have been addressed.

MINIMUM IMPACT PROJECT

2008-00538 ZANNINI, RICHARD & AUDREY
HAMPTON Tidal Marsh

Requested Action:

Impact 320 square feet within the previously developed 100-foot tidal buffer zone within 50 feet of salt marsh for the reconstruction and stabilization of an existing earthen berm with riprap to protect the property from wave energy under storm conditions.

Conservation Commission/Staff Comments:

The Hampton Conservation Commission 'does not oppose the granting of a wetlands permit.'

APPROVE PERMIT:

Impact 320 square feet within the previously developed 100-foot tidal buffer zone within 50 feet of salt marsh for the reconstruction and stabilization of an existing earthen berm with riprap to protect the property from wave energy under storm conditions.

With Conditions:

1. All work shall be in accordance with plans received by DES on August 29, 2008.
2. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. DES staff and the Hampton Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during low tide only.
6. The toe-of-slope of the berm shall not encroach any further toward the salt marsh.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o) Projects deemed minimum impact by the department based on the degree of environmental impact.
2. The existing earthen berm is continually undermined by wave action and is eroding into the salt marsh, therefore; the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The earthen berm will be rebuilt in the same footprint and reinforced with riprap, therefore; the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. A memo dated April 25, 2008 from the NH Natural Heritage Bureau (the "NHNHB") identified numerous natural communities, plant species, and vertebrate species within the vicinity of the project.
6. DES finds that none of the aforementioned items identified by the NHNHB will be adversely affected as a result of this project as the site is previously developed tidal buffer zone.

FORESTRY NOTIFICATION

2008-01085 OUIMETTE, DANIEL
COLUMBIA Unnamed Stream

2008-01775 GREEN CROW CORP
NEW IPSWICH Unnamed Stream

2008-01776 GREEN CROW CORP
NEW IPSWICH Unnamed Stream

COMPLETE NOTIFICATION:

New Ipswich Tax Map 4, Lot# 18

2008-01846 **US FOREST SERVICE, WHITE MTN NATIONAL FOREST**
WARREN **Unnamed Stream**

COMPLETE NOTIFICATION:
Warren White Mtn National Forest - Hillock Timber Sale

2008-01848 **USDA FOREST SERVICE, WHITE MTN NAT'L FOREST**
WARREN **Unnamed Stream**

COMPLETE NOTIFICATION:
Warren White Mtn National Forest Service - Hatchery Timber Sale

2008-01860 **RANDOLPH, TOWN OF**
RANDOLPH **Unnamed Stream**

COMPLETE NOTIFICATION:
Randolph Tax Map R19, Lot# 1 Beaver Pond Timber Sale

2008-01861 **NADEAU, ROBERT**
NEW BOSTON **Unnamed Stream**

COMPLETE NOTIFICATION:
New Boston Tax Map 4, Lot# 14

2008-01862 **PAGE, JOANNA**
RICHMOND **Unnamed Stream**

COMPLETE NOTIFICATION:
Richmond Tax Map 403, Lot# 7

2008-01864 **MATHES INC, ROGER**
BARRINGTON **Unnamed Stream**

COMPLETE NOTIFICATION:
Barrington Tax Map 219, Lot# 43

2008-01865 **LAU, BILLY KIM**
PLYMOUTH **Unnamed Stream**

COMPLETE NOTIFICATION:
Plymouth Tax Map 203, Lot# 67

2008-01866 RODERICK, MARILYN
STRAFFORD Unnamed Stream

COMPLETE NOTIFICATION:
Strafford Tax Map 4, Lot# 11

2008-01867 MANCHESTER WATER WORKS
MANCHESTER Unnamed Stream

COMPLETE NOTIFICATION:
Manchester Tax MAp 828, Lot# 1

2008-01868 WHITE, DAVID & CYNTHIA
NORTH SANDWICH Unnamed Stream

COMPLETE NOTIFICATION:
North Sandwich Tax Map R3, Lot# 60

2008-01870 NEW ENGLAND FORESTRY FOUNDATION
SANBORNTON Unnamed Stream

COMPLETE NOTIFICATION:
Sanbornton Tax Map 1, Lot# 11-2

2008-01871 BLAISDELL, ROSCOE
RAYMOND Unnamed Stream

COMPLETE NOTIFICATION:
Raymond Tax Map 45, Lot# 1,2,3,5,7

2008-01947 GROB, LAURLE & PAMELA
HENNIKER Unnamed Stream

COMPLETE NOTIFICATION:
Henniker Tax Map 1, Lot# 277C

2008-01948 GRIFFITHS, JULIE
SUTTON Unnamed Stream

COMPLETE NOTIFICATION:
Sutton Tax Map 2, Lot# 055,155

2008-01951 LAKE WINNIPESAUKEE GOLF RESORT
NEW DURHAM Unnamed Stream

COMPLETE NOTIFICATION:
New Durham Tax Map 26A, Lot# 50

EXPEDITED MINIMUM

2008-01132 FAINSINGER, NAOMI
MEREDITH Lake Winnepesaukee

Requested Action:

Remove an existing non-conforming seasonal dock and install a 6 ft x 40 ft seasonal dock attached to a 4 ft x 6 ft concrete anchoring pad, remove uprooted stump and fill void with less than 2 cubic yards of material and plant with native species, repair and upgrade 15 linear ft of 1.5 ft tall retaining wall on 125 ft of frontage in Meredith on Lake Winnepesaukee.

APPROVE PERMIT:

Remove an existing non-conforming seasonal dock and install a 6 ft x 40 ft seasonal dock attached to a 4 ft x 6 ft concrete anchoring pad, remove uprooted stump and fill void with less than 2 cubic yards of material and plant with native species, repair and upgrade 15 linear ft of 1.5 ft tall retaining wall on 125 ft of frontage in Meredith on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by NH Environmental Consultants LLC as received by the Department on August 28, 2008.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. No patios within 20 ft of the shoreline were revealed during site inspection conducted on August 1, 2008, and therefore, no patio shall be restored or constructed as indicated on plans received by the Department on August 28, 2008.
4. The replacement wall shall maintain length, height and configuration of the pre-existing wall.
5. The replacement retaining wall shall not be located closer to the water than the pre-existing wall.
6. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that any structures were not previously authorized, permitted and/or grandfathered.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Dated photographic documentation of the replacement wall shall be submitted to the Wetlands Bureau as a notification of completion of the project.
11. No more than 2 cubic yards of material shall be deposited within stump removal void.
12. This permit does not authorize beach replenishment or the deposition of sand for the purpose of creating a beach area.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair or replacement of existing retaining walls.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application

Evaluation, has been considered in the design of the project.

2008-01514 SOUTHEAST LAND TRUST OF NEW HAMPSHIRE
NEWFIELDS Unnamed Wetland Stream

Requested Action:

Dredge and fill a total of 1,500 sq. ft. to replace a deteriorated closed culvert at existing woods road crossing on conservation land, with an open-bottom concrete bridge-type crossing.

APPROVE PERMIT:

Dredge and fill a total of 1,500 sq. ft. to replace a deteriorated closed culvert at existing woods road crossing on conservation land, with an open-bottom concrete bridge-type crossing.

With Conditions:

1. All work shall be in accordance with revised plans by Gerald J. Lang, PE, dated 9/15/2008, as received by the Department on 9/15/2008.
2. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Round, smooth stone, as opposed to angular rip rap, shall be used to stabilize inlet and outlets.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), maintenance or repair of a non-docking structure such as a culvert. The proposed design change is accepted as meeting the intent of this rule, as it provides improved aquatic species passage over the inadequate existing culvert.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing culvert is deteriorated and needs to be replaced.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The species reported to be in the vicinity of the project by the NH Natural Heritage Bureau include wood, spotted, and Blandings turtles, which will benefit from the removal of the restrictive culvert and installation of the open bottom full bank width bridge structure.
5. The Newfields Conservation Commission signed the expedited wetlands application form.

2008-01516 LATRONICO, KENNETH
BRISTOL Newfound Lake

Requested Action:

Replace existing retaining wall on 85 ft of frontage in Bristol on Newfound Lake.

APPROVE PERMIT:

Replace existing retaining wall on 85 ft of frontage in Bristol on Newfound Lake.

With Conditions:

1. All work shall be in accordance with plans by Kenneth Latronico as received by the Department on September 16, 2008.
2. Replacement wall shall maintain existing length, height and configuration.
3. Replacement retaining wall shall not come closer to the water than the existing wall.
4. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dated photographic documentation of the replacement wall shall be submitted to the Wetlands Bureau as a notification of completion of the project.
9. Shall replacement wall fail within a 6 year period from date of completion, the landowner shall file a new application for retaining wall replacement with stamped plans prepared by a certified professional in erosion and sediment control and site may be subject to further NHDES evaluation and requests.
10. Wall shall not reflect or re-direct currents towards adjacent wetlands or structures, or otherwise contribute to erosion.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c) repair or replacement of an existing retaining wall.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2008-01666 CROWLEY, KAREN
SALEM Unnamed Wetland

Requested Action:

Impact a total of 1,475 square feet of emergent and scrub-shrub wetland for the construction of two (2) crossings containing one 2'x6' open-bottom culvert at each crossing for access to parking areas of a 2-story medical office building.

Conservation Commission/Staff Comments:

The Salem Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact a total of 1,475 square feet of emergent and scrub-shrub wetland for the construction of two (2) crossings containing one 2'x6' open-bottom culvert at each crossing for access to parking areas of a 2-story medical office building.

With Conditions:

1. All work shall be in accordance with the following plans by SFC Engineering Partnership, Inc., as received by DES on August 20, 2008:
 - a.) Conceptual Site Plan (Sheet 1 of 1) dated May 14 2008; and,
 - b.) Wetland Impact Plan (Sheet 1 of 1) dated July 10, 2008.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

4. Work shall be done during seasonal low flow conditions.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Disturbance to the wetland substrate within the crossings where the culverts will be installed shall be minimized to the furthest extent practicable.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of emergent and scrub-shrub wetland.
2. The impacts are necessary to provide access for the parking lots, therefore; the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. One of crossings will utilize an existing wetlands crossing. Additionally, open-bottom culverts will be laid within each crossing, therefore; the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2008-01671 TRUE, DENISE
HUDSON Unnamed Stream

Requested Action:

Impact 690 square feet and approximately 20 linear feet within the bed and banks of an intermittent stream for the installation of a 24" culvert and construction of a driveway for access to a single-family residential dwelling on 1.257 acres as part of a 2-lot subdivision of 5.759 acres.

Conservation Commission/Staff Comments:

The Hudson Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 690 square feet and approximately 20 linear feet within the bed and banks of an intermittent stream for the installation of a 24" culvert and construction of a driveway for access to a single-family residential dwelling on 1.257 acres as part of a 2-lot subdivision of 5.759 acres.

With Conditions:

1. All work shall be in accordance with the Wetland Crossing Plan by M.J. Grainger Engineering, Inc. dated November 27, 2007 and revised March 6, 2008, as received by DES on August 21, 2008.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. DES staff shall be notified in writing prior to commencement of work and upon its completion.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. Work shall be done during seasonal low flow conditions.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,00 square feet of forested wetland.
2. The impacts are necessary for access to buildable upland, therefore; the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The proposed crossing occurs at the narrowest portion of wetland, therefore; the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2008-01781 HALLAHAN, WILLIAM
SOUTH SUTTON Blaisdell Lake

Requested Action:

Repair an existing 40 linear feet of retaining wall in kind on Blaisdell Lake, Sutton.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing 40 linear feet of retaining wall in kind on Blaisdell Lake, Sutton.

With Conditions:

1. All work shall be in accordance with plans dated July 30, 2008, as received by DES on September 04, 2008.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Repair shall maintain existing size, location and configuration.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair of existing retaining walls that is performed "in the dry" during draw down with no change in height, length, location, or configuration.

AGRICULTURE MINIMUM

2008-01203 BLAISDELL, GEORGE
HAMPTON FALLS Wet Meadow & Ditch

Requested Action:

Impact at total of 64,000 square feet of palustrine wet meadow for the restoration of an agricultural ditchline to convert the existing area back to useable upland for hay production and install a 15-inch culvert within the ditchline for the construction of crossing.

APPROVE PERMIT:

Impact at total of 64,000 square feet of palustrine wet meadow for the restoration of an agricultural ditchline to convert the existing area back to useable upland for hay production and install a 15-inch culvert within the ditchline for the construction of crossing.

With Conditions:

1. All work shall be in accordance with the following plans received by DES on July 1, 2008:
 - a.) The Wetland Impact Plan (Sheet 2 of 2) by Jones & Beach Engineers, Inc. dated January 30, 2008; and,
 - b.) The Waterway and Diversion Design Plans by USDA NRCS dated May 2008.
2. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. Work shall be done during seasonal low flow conditions.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. All work shall adhere to the standards of the "Best Management Wetlands Practices for Agriculture," NH Dept. of Agriculture, dated July 16, 1993, amended September 1998.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Any change in use to a non-agricultural purpose will require further permitting by the DES Wetlands Bureau.
8. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(u); Maintenance or improvement of existing crop or pasture land for continued agricultural use.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The application was signed by the Rockingham County Conservation District.

GOLD DREDGE

2008-01932 GARGAN, MAUREEN
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

2008-01933 DAVIS, ROBERT
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

TRAILS NOTIFICATION

2008-01869 STATE OF NH DRED
PITTSBURG Unnamed Stream

COMPLETE NOTIFICATION:
Pittsburg Tax Map 1, Lot# 26

LAKES-SEASONAL DOCK NOTIF

2008-01914 DOME, DELBERT
GRAFTON Kilton Pond

COMPLETE NOTIFICATION:
Grafton, NH Tax Map 6R Lot 807
Kilton Pond

2008-01952 BRISON, CHRISTOPHER
CANTERBURY New Pond

COMPLETE NOTIFICATION:
Canterbury, NH Tax Map 102 Lot 13
New Pond

ROADWAY MAINTENANCE NOTIF

2008-01921 NH DEPT OF TRANSPORTATION
NEW IPSWICH Unnamed Stream

COMPLETE NOTIFICATION:
Replace 24" X 40' culvert

2008-01922 NH DEPT OF TRANSPORTATION
NEW LONDON Unnamed Stream

COMPLETE NOTIFICATION:
Reconstruct approximately 550 feet of roadside ditch

2008-01923 NEWPORT, TOWN OF
NEWPORT Unnamed Stream

COMPLETE NOTIFICATION:

Remove old 36" metal pipe and replace with new 36" pipe

2008-01926 ENFIELD, TOWN OF
ENFIELD Unnamed Stream

COMPLETE NOTIFICATION:

Roadside ditch maintenance, replace existing 12" CMP, headwall repair and replacement

2008-01931 NH DEPT OF TRANSPORTATION
LOUDON Unnamed Stream

COMPLETE NOTIFICATION:

Stabilize slope of embankment

PERMIT BY NOTIFICATION

2008-01851 PSNH
BOW Unnamed Wetland

Requested Action:

Temporarily impact 4344 square feet of wetlands to gain access to upland areas for routine mowing operation along a utility right-of-way.

PBN IS COMPLETE:

Temporarily impact 4344 square feet of wetlands to gain access to upland areas for routine mowing operation along a utility right-of-way.

2008-01889 MARRAPESE, JOHN
FRANKLIN Webster Lake

Conservation Commission/Staff Comments:

Con Com signed PBN on Sept 09, 2008

PBN IS COMPLETE:

Beach replenishment

With Findings:

Beach replenishment pursuant to Env-Wt 303.04,(aa).

**2008-01934 PSNH
NEW IPSWICH Unnamed Wetland**

Requested Action:

Temporarily impact 636 sq. ft. of wetlands/intermittent stream for access to maintenance mowing areas within a PSNH right-of-way.

PBN IS COMPLETE:

Temporarily impact 636 sq. ft. of wetlands/intermittent stream for access to maintenance mowing areas within a PSNH right-of-way.

With Findings:

1. The Conservation Commission signed the PBN waiving their right to intervene pursuant to RSA 482-A:3:11.
2. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)(14), temporary impacts associated with the inspection, maintenance and repair of existing utility lines within an existing utility right-of-way that meet the criteria of Env-Wt 303.04(af).
3. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

CSPA PERMIT

**2008-01405 NINE, ROSA
TUFTONBORO Lake Winnepesaukee**

Requested Action:

Impact 7,609 sq ft to remove two existing cottages and construct a new single family home adjoining an existing cottage on property with approximately 235 ft of frontage on Lake Winnepesaukee in Tuftonboro.

APPROVE PERMIT:

Impact 7,609 sq ft to remove two existing cottages and construct a new single family home adjoining an existing cottage on property with approximately 235 ft of frontage on Lake Winnepesaukee in Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by NHSC Inc. dated July, 2008 and received by the Department of Environmental Services ("DES") on July 25, 2008.
2. No more than 13.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 10,794 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 4,445.75 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. This permit is contingent upon approval of the proposed septic system by the NH Subsurface Systems Bureau.
5. There shall be no kitchen facilities within the structure identified as cottage #3 on plans by NHSC Inc. dated July, 2008 and received by the Department of Environmental Services ("DES") on July 25, 2008.
6. The applicant shall sign and submit a Certification of Restriction crafted by Hanson Law Office dated September 15, 2008 and recieved by the Department of Environmental Services ("DES") on September 17, 2008 to the Carroll County Registry of Deeds which restricts the installation and use of kitchen facilities within the structure identified as cottage #3 on plans by NHSC Inc. dated July, 2008 and received by DES on July 25, 2008.
7. This permit shall not be effective unless and until it has been recorded at the Carroll County Registry of Deeds and a copy of the recorded document is sent to DES by certified mail, return receipt requested.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with

applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

12. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-01684 RUBINO, RICHARD/WINNIE
GILMANTON IRON WORKS Crystal Lake

Requested Action:

Impact 455 square feet to expand an existing garage to provide additional storage space on property having 260 ft of frontage on Crystal Lake in Gilmanton.

APPROVE PERMIT:

Impact 455 square feet to expand an existing garage to provide additional storage space on property having 260 ft of frontage on Crystal Lake in Gilmanton.

With Conditions:

1. All work shall be in accordance with plans by Bryan L. Bailey Associates, Inc. dated September 11, 2008 and received by the Department of Environmental Services ("DES") on September 15, 2008.
2. No more than 6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 13,736sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 9,474 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. No portion of the existing garage shall be altered in a manner to make it suitable for use as a dwelling.

2008-01686 BRAKELEY, HARRY
SANBORTON Hermit Lake

Requested Action:

Impact 5,225 sq ft to convert an existing garage to a 1 bedroom apartment with attached deck and a new septic system on property with approximately 1,130 ft of shoreline frontage on Hermit Lake in Sanbornton.

APPROVE PERMIT:

Impact 5,225 sq ft to convert an existing garage to a 1 bedroom apartment with attached deck and a new septic system on property with approximately 1,130 ft of shoreline frontage on Hermit Lake in Sanbornton.

With Conditions:

1. All work shall be in accordance with plans by Granite State Septic Designs dated August 15, 2008 and received by the Department of Environmental Services ("DES") on August 19, 2008.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 3.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 67,314 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 37,981.5 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed as necessary to contain exposed soils and prevent erosion from the project site.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. The project shall not impact wildlife identified as sensitive species by the NH Natural Heritage Bureau as there are no impacts proposed within the 50 ft waterfront buffer.

2008-01692 STEVENS, DAVID/AIMEE
BELMONT Sargent Lake

Requested Action:

Impact 1,612 sq ft to replace the foundation under a conforming primary structure on Sargent Lake in Belmont.

APPROVE PERMIT:

Impact 1,612 sq ft to replace the foundation under a conforming primary structure on Sargent Lake in Belmont.

With Conditions:

1. All work shall be in accordance with plans by Stoney Ridge Environmental LLC dated August 15, 2008 and received by the Department of Environmental Services ("DES") on August 22, 2008.
2. No more than 8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 69,390 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 34,695 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-01700 CONCORD VENTURES AREA DEV LLC
LOUDON Soucook River

Requested Action:

Impact 1,913 sq ft to construct an entrance to a proposed parking area within the protected shoreland.

APPROVE PERMIT:

Impact 1,913 sq ft to construct an entrance to a proposed parking area within the protected shoreland.

With Conditions:

1. All work shall be in accordance with plans by Bedford Design Consultants dated July 1, 2008 and received by the Department of Environmental Services ("DES") on August 22, 2008.
2. No more than .006% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will impact no portion of the Natural Woodland Buffer beyond the primary building setback.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit is contingent on approval by the DES Alteration of Terrain Program.
10. This permit is contingent on approval by the DES Subsurface Systems Bureau.